

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

13 MAR 25 AM 9:44

UNITED STATES OF AMERICA,

MAGISTRATE CASE NO.

Plaintiff,

Complaint for Assault on a

v.

Federal Officer in Violation of

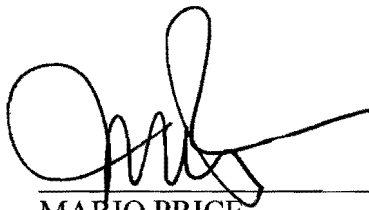
KENNARD WALTERS,

Title 18, U.S.C. §111

Defendant.

The undersigned complainant, being duly sworn, states:

On or about March 22, 2013 within the Southern District of California, Defendant KENNARD WALTERS, willfully and by means and use of a dangerous weapon, that is a vehicle, did forcibly assault, resist, oppose, impede, intimidate, and interfere with Joel Mullen, Naval Criminal Investigative Services Special Agent, and engage in acts involving physical contact while Special Agent Mullen was engaged in his official duties, in violation of Title 18, United States Code, Section 111.



MARIO PRICE

Special Agent

Naval Criminal Investigative Service

SWORN TO ME AND SUBSCRIBED IN MY PRESENCE THIS 23rd DAY OF
MARCH 2013.



HONORABLE BARNARD G. SKOMAL

UNITED STATES MAGISTRATE JUDGE

1 CONTINUATION OF COMPLAINT:
2 UNITED STATES v. KENNARD WALTERS

3 AFFIDAVIT

4 I, Mario Price, Special Agent with the Naval Criminal Investigative Service (NCIS) being
5 duly sworn, depose and say:

6 I am currently assigned to the Economic Crimes Squad at NCIS Resident Agency, San Diego,
7 California, and have been so-employed for approximately five years. The information contained in
8 this affidavit is based upon my personal knowledge and on the information I have learned from
9 reviewing official reports and speaking with other law enforcement officers and individuals.

10 On March 22, 2013, at approximately 10:15 a.m., Howard Marshall, a civilian employee of
11 Naval Base San Diego ("NBSD") contacted United States Navy Captain Winton Smith, Commanding
12 Officer of NBSD, regarding an individual aboard NBSD who appeared to be impersonating an Air
13 Force two-star General. According to Marshall, the suspected imposter, later determined to be
14 Kennard WALTERS, was speaking to NBSD personnel near the Personnel Support Detachment
15 (PSD) Afloat Building aboard NBSD. Captain Smith contacted NCIS Special Agent Joel Mullen to
16 investigate.

17 Special Agent Mullen responded to the PSD Afloat Building. There, Marshall informed him
18 that WALTERS was behind the building near the smoking area talking to some of his employees.
19 Marshall and Special Agent Mullen walked into the PSD building. Once inside, Marshall pointed out
20 a window to a white male, approximately six feet tall, with an average build and dark, graying hair,
21 who was wearing a short-sleeved Air Force Officer uniform and talking to a handful of people.
22 Special Agent Mullen walked outside and approached WALTERS, identified himself as a NCIS
23 agent, displayed his federal law enforcement credentials, and asked to speak with WALTERS.
24 WALTERS agreed, but stated he needed to retrieve his cell phone first.

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26 WALTERS then walked towards the driver's side of a white Sports Utility Vehicle (SUV).
27 Special Agent Mullen was standing behind the SUV when he heard the engine start. Special Agent
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1 Mullen approached the open driver's side window and told WALTERS to turn off the vehicle.
2 WALTERS ignored his order and started to put the vehicle in gear. Instinctively, Special Agent
3 Mullen jumped on the side rail of the SUV and ordered WALTERS to stop the vehicle. WALTERS
4 backed out of the parking space and then rapidly drove away while Special Agent Mullen was on the
5 side rail. Special Agent Mullen continued to yell at WALTERS to stop the vehicle and struck
6 WALTERS to force compliance. WALTERS continued to accelerate the vehicle and struck Special
7 Agent Mullen with his fist. Special Agent Mullen grabbed WALTERS' clip-on tie, dislodging it
8 from his shirt. Special Agent Mullen then lost his footing and fell to the ground. WALTERS
9 continued to speed ahead, rolled over Mullen's left ankle with the vehicle, and took off in an
10 unknown direction.

11 Special Agent Mullen notified other NCIS agents of the incident. NCIS Special Agents Aaron
12 Smith and Andre Bedgood responded to the scene. They interviewed Petty Officer Daniel Buit, an
13 eyewitness to the above-described incident. Petty Officer Buit reported he had previously met
14 WALTERS at the Dakota Inn, 831 East 8th Street, National City, CA, in approximately December
15 2012. WALTERS had identified himself as "Jesse Walters" and provided Petty Officer Buit with the
16 phone number "619-770-8074" as a method of contacting him. Petty Officer Buit also informed
17 agents he had seen WALTERS driving a white Toyota Sequoia vehicle with a military decal.

18 NCIS Special Agent Shelby Ellis conducted law enforcement database inquiries pertaining to
19 the name "Jesse Walters" and phone number 619-770-8074. The results disclosed the phone number
20 was associated with Kennard WALTERS, and this information was later confirmed by AT&T's
21 subpoena compliance department. A check of California Department of Motor Vehicle (DMV)
22 records provided a record of a man named Kennard WALTERS, who is 6'0" tall, weighs 185 pounds,
23 has brown hair, and has an address in National City. DMV records further associated WALTERS
24 with a white Toyota Sequoia vehicle, license plate number 6VRV105. Both the records associated
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1 with the phone number and the DMV for Kennard WALTERS list the same date of birth. A review of
2 military databases disclosed WALTERS was a member of the United States Navy from 1980 to 1983.

3 Special Agent Mullen and Petty Officer Buit were provided with WALTERS' DMV
4 photograph and both positively identified him as the individual who ran over Special Agent Mullen's
5 foot. Special Mullen sought medical treatment relating to injuries sustained during his interaction
6 with WALTERS. He is currently wearing a soft cast on his left foot and has suffered abrasions on his
7 left leg.

A handwritten signature in black ink, appearing to read 'Mario Price', is written over a horizontal line.

8 MARIO PRICE
9 Special Agent
10 Naval Criminal Investigative Service
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